



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

Mitchell E. Daniels, Jr.
Governor

Thomas W. Easterly
Commissioner

October 21, 2009

100 North Senate Avenue
Indianapolis, Indiana 46204
(317) 232-8603
Toll Free (800) 451-6027
www.idem.IN.gov

VIA CERTIFIED MAIL 91 7190 0005 2710 0000 5908

Mr. Joseph C. Blake, Manager
Development and Construction Operations
Trinitas Ventures, LLC
1890 Lindberg Road
West Lafayette, Indiana 47906

Dear Mr. Blake:

Re: 327 IAC 3 Construction
Permit Application
Plans and Specifications for
Sanitary Sewer Extension,
IUPUI Student Housing
Permit Approval No. 19562
Indianapolis, Indiana
Marion County

The application, plans and specifications, and supporting documents for the above-referenced project have been reviewed and processed in accordance with rules adopted under 327 IAC 3. Enclosed is the Construction Permit (Approval No. 19562), which applies to the construction of the above-referenced proposed sanitary sewer system to be located near 1201 Indiana Avenue in the City of Indianapolis. A new sanitary sewer will be installed within the public right-of-way (ROW) of Milburn Street starting on the north side of the intersection with Indiana Avenue, proceeding north to the intersection with 14th Street and proceeding west on 14th Street within the public ROW to the east side of the intersection with Rembrandt Street.

Please review the enclosed permit carefully and become familiar with its terms and conditions. In addition, it is imperative that the applicant, consulting architect/engineer (A/E), inspector, and contractor are aware of these terms, conditions, and reporting and testing requirements.

It should be noted that any person affected or aggrieved by the agency's decision in authorizing the construction of the above-referenced facility may, within fifteen (15) days from date of mailing, appeal this permit by filing a request with the Office of Environmental Adjudication for an adjudicatory hearing in accordance with IC 4-21.5-3-7 and IC 13-15-6. The procedure for appeal is outlined in more detail in Part III of the attached construction permit.

Plans and specifications were prepared by Ter Horst, Lamson & Fisk, Inc., certified by Mr. Benjamin P. Knoop, P.E., and submitted for review on August 13, 2009, with additional information submitted on September 2, 2009, September 18, 2009, September 22, 2009, October 5, 2009 and October 12, 2009.

Any questions concerning this permit may be addressed to Mr. Mike Miles, of our staff, at 317/232-6548. Questions concerning appeal procedures should be addressed to the Office of Environmental Adjudication, at 317/232-8591.

Sincerely,



Dale T. Schnaith, Chief
Facility Construction and
Engineering Support Section
Office of Water Quality

MWM/pb

Project No. M-19748

Enclosures

cc: Marion County Health Department
Marion County Commissioner
Ter Horst, Lamson & Fisk, Inc.
Dwight Wright
Indiana State Office Building Commission
James Ron Joyce
Kenneth & Glenda Clayton
Indiana University TRS
Larry C. Murphy
Peerless Electric Supply Co.
Glenn E. Christian
Leticia A. Flores
Crescent Realty Corp.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
AUTHORIZATION FOR CONSTRUCTION OF
SANITARY SEWER SYSTEM
UNDER 327 IAC 3

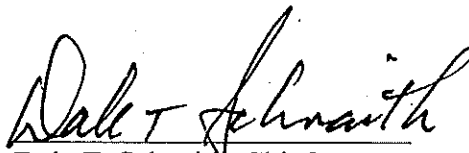
DECISION OF APPROVAL

Trinitas Ventures, LLC, in accordance with the provisions of IC 13-15 and 327 IAC 3 is hereby issued a permit to construct the sanitary sewer system to be located near 1201 Indiana Avenue in the City of Indianapolis. A new sanitary sewer will be installed within the public right-of-way (ROW) of Milburn Street starting on the north side of the intersection with Indiana Avenue, proceeding north to the intersection with 14th Street and proceeding west on 14th Street within the public ROW to the east side of the intersection with Rembrandt Street. The permittee is required to comply with requirements set forth in Parts I, II and III hereof. The permit is effective pursuant to IC 4-21.5-3-4(d). If a petition for review and a petition for stay of effectiveness are filed pursuant to IC 13-15-6, an Environmental Law Judge may be appointed for an adjudicatory hearing. The force and effect of any contested permit provision may be stayed at that time.

NOTICE OF EXPIRATION DATE

This permit and the authorization to initiate construction of this sanitary sewer system shall expire at midnight November 1, 2010. In order to receive authorization to begin construction beyond the date of expiration, the permittee shall submit such information and forms as are required by the Indiana Department of Environmental Management at least sixty (60) days prior to the expiration date.

Signed this 21st day of October, 20 09, for the Indiana Department of Environmental Management.



Dale T. Schnaith, Chief
Facility Construction and
Engineering Support Section
Office of Water Quality

SANITARY SEWER SYSTEM DESCRIPTION

The proposed project shall consist of approximately 1,324 feet of 12-inch diameter ductile iron (ANSI/AWWA A21.5/C151 and ASTM A746) sanitary sewer. The proposed project will provide service for approximately forty one (41) new one bedroom apartments, one hundred six (106) new two bedroom apartments, fifteen (15) new three bedroom apartments, ninety four (94) new four bedroom apartments, one (1) new office and one (1) new clubhouse with an expected average daily wastewater flow of 80,525 gpd. The proposed project will also provide service for seventy seven (77) existing single family homes, existing commercial lots with approximately 854 parking spaces and one (1) existing church with 1,000 sanctuary seats. The wastewater flow from the existing connections through the new sanitary sewer will be 21,250 gpd and it is based upon metered water usage. The total expected average daily wastewater flow through the new sanitary sewer will be 101,775 gpd.

The new 12-inch diameter sanitary sewer will be connected downstream to an existing manhole on a 12-inch diameter sanitary sewer located on the north side of the intersection of Milburn Street and Indiana Avenue. The new 12-inch diameter sanitary sewer will also be connected upstream to the existing 12-inch diameter sanitary sewer system on the east side of the intersection of 14th Street and Rembrandt Street.

The State Rule 327 IAC 3-6-12 (a) states that new 12-inch diameter sanitary sewers must be installed at a minimum slope/grade of 0.22%. The proposed new 12-inch diameter sanitary sewer will be installed along Milburn Street and 14th Street at a 0.04% to 0.11% slope. The existing upstream and downstream sanitary sewer inverts make it impossible to achieve a 0.22% minimum slope in the new sanitary sewer. The City of Indianapolis Department of Public Works (DPW) acknowledged that there is the potential for increased maintenance in the proposed new 12-inch diameter sanitary sewer installed at less than the minimum required slope of 0.22%. The DPW stated that it has the necessary equipment to clean and maintain the new sanitary sewer. Therefore, an alternate to the Stated Technical Standards is approved per State Rule 327 IAC 3-6-32 for the decreased slope in the proposed new 12-inch diameter sanitary sewer.

The State Rule 327 IAC 3-6-18 (e) requires thirty six (36) inches of ground cover over the top of a new sanitary sewer. The proposed new 12-inch diameter sanitary sewer will have less than 36-inches of ground cover at and near the downstream connection point on the existing sanitary sewer system. The existing ground elevations at the paved intersection make it impossible to provide 36-inches of ground cover. The City of Indianapolis DPW stated that wastewater freezing has not been a problem in the existing 12-inch diameter sanitary sewer at this location. Therefore, an alternate to the State Technical Standards is approved per State Rule 327 IAC 3-6-32 for the decreased ground cover over the proposed new 12-inch diameter sanitary sewer.

The maximum capacity of a 12-inch diameter sanitary sewer installed at 0.04% slope is approximately 460,000 gpd. The expected peak daily wastewater flow from the existing and the new sanitary sewer connections is approximately 407,100 gpd. Therefore, the proposed new 12-inch diameter sanitary sewer is expected to have adequate capacity for the expected average and peak daily wastewater flow.

Inspection during construction of the new sanitary sewer will be provided by the City of Indianapolis. Maintenance after completion of construction of the new sanitary sewer will be provided by the City of Indianapolis. Wastewater treatment will be provided by the City of Indianapolis.

CONDITIONS AND LIMITATIONS TO THE AUTHORIZATION FOR
CONSTRUCTION OF SANITARY SEWERS

During the period beginning on the effective date of this permit and extending until the expiration date, the permittee is authorized to construct the above described sanitary sewer system. Such construction shall conform to all provisions of State Rule 327 IAC 3 and the following specific provisions:

PART I

SPECIFIC CONDITIONS AND LIMITATIONS TO THE CONSTRUCTION PERMIT

Unless specific authorization is otherwise provided under the permit, the permittee shall comply with the following conditions:

1. All local permits shall be obtained before construction is begun on this project.
2. If pollution or nuisance conditions are created, immediate corrective action will be taken by the permittee.
3. The separation of sanitary sewers from water mains and drinking water wells must comply with 327 IAC 3-6-9.
4. All gravity sewer pipe must be leak tested using either a hydrostatic test or air test in accordance with 327 IAC 3-6-19(d). If using a hydrostatic test, the rate of exfiltration or infiltration shall not exceed 200 gallons per inch of pipe diameter per linear mile per day. Air test shall be as prescribed.

5. The results of the gravity sewer leakage test and/or force main leakage test on the completed sewer shall be submitted to this office within three months of completion of construction.
6. If construction is located within a designated floodway, a permit may also be required from the Department of Natural Resources prior to start of construction. It is the permittee's responsibility to coordinate with that agency and obtain any required approvals if applicable. Questions may be directed to the Technical Services Section, Division of Water at 317/232-4160.
7. A drop pipe must be provided for all sewers entering a manhole at an elevation of 24 inches or more above the manhole invert.
8. Deflection tests must be performed on all flexible pipe after the final backfill has been in place at least 30 days. No pipe shall exceed a vertical deflection of 5%. Deflection test results shall be submitted with the infiltration/exfiltration test results. (The following are considered nonflexible pipes: vitrified clay pipe, concrete pipe, ductile iron pipe, cast iron pipe, asbestos cement pipe.)
9. Manholes shall be air tested in accordance with ASTM C1244-93, Standard Test Method for Concrete Sewer Manholes by the Negative Air Pressure (Vacuum) Test. The manhole test results shall be submitted with the gravity sewer leakage test results.

Failure to submit test results within the allotted time period or failure to meet guidelines as set forth in the above conditions could be subject to enforcement proceedings as provided by 327 IAC 3-5-3.

PART II

GENERAL CONDITIONS

1. No significant or material changes in the scope of the plans or construction of this project shall be made unless the following provisions are met:
 - a. Request for permit modification is made 60 days in advance of the proposed significant or material changes in the scope of the plans or construction;
 - b. Submit a detailed statement of such proposed changes;
 - c. Submit revised plans and specifications including a revised design summary; and
 - d. Obtain a revised construction permit from this agency.
2. This permit may be modified, suspended, or revoked for cause including, but not limited to the following:
 - a. Violation of any term or conditions of this permit:
 - b. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts.
3. Nothing herein shall be construed as guaranteeing that the proposed sanitary sewer system shall meet standards, limitations or requirements of this or any other agency of state or federal government, as this agency has no direct control over the actual construction and/or operation of the proposed project.

PART III

APPEALS PROCEDURE

Anyone wishing to challenge this agency's decision for authorizing the construction of this facility may do so, provided that a petition for administrative review is filed as required by IC 4-21.5-3-7. The petition must be submitted within fifteen (15) days of the date of mailing of this permit notification. The petition must include facts demonstrating that you are either the applicant, a person aggrieved or adversely affected by this decision, or otherwise entitled to review by law. Additionally, IC 13-15-6-2 requires that your petition include:

1. The name and address of the person making the request;
2. The interest of the person making the request;
3. Identification of any persons represented by the person making the request;
4. The reasons, with particularity, for the request;
5. The issues, with particularity, proposed for consideration at the hearing; and
6. Identification of the permit terms and conditions which, in the judgement of the person making the request, would be appropriate in the case in question to satisfy the requirements of the law governing permits of the type granted or denied by the Assistant Commissioner's action.
7. Pursuant to IC 4-21.5-3-1(f), any document serving as a petition for review or review and stay must be filed with the Office of Environmental Adjudication. Filing of such a document is complete on the earliest of the following dates:
 - a. The date on which the petition is delivered to the Office of Environmental Adjudication, Indiana Government Center North, 100 North Senate Avenue, Room 501, Indianapolis, Indiana 46204;
 - b. The date of the postmark on the envelope containing the petition, if the petition is mailed by United States mail; or
 - c. The date on which the petition is deposited with a private carrier, as shown by a receipt issued by the carrier, if the petition is sent by private carrier.